



February 28, 2020

Thomas Quigley
Badger Minerals, LLC
414 10th Avenue Suite 1
Menominee, MI 49858

SUBJECT: Coverage under WPDES General Permit No. WI-0049344-05-0
Permittee Name: Badger Minerals, LLC
Site Name: CM-Project
Site Address: Sections 4&9; T35N-R11E, Town of Schoepke, Oneida County
ID (FIN): 70526

Dear Permittee:

The Wisconsin Department of Natural Resources (hereafter Department) has determined that your proposed discharge for the CM-project located in the Town of Schoepke, WI is eligible for coverage and is hereby authorized under the Wisconsin Pollutant Discharge Elimination System (WPDES) general permit for Dewatering Operations (No. WI-0049344-05-0). The project includes exploratory drilling in up to ten locations on the project site. The permitted discharge will be composed of the water remaining at the end of drilling each well. This water will be allowed to seep into groundwater via sump pits. This determination was based on review of the General Permit Notice of Intent (NOI) form and a Best Management Practice (BMP) Plan submitted by Eric Quigley of Badger Minerals, LLC received by the Department on February 25, 2020 in addition to a Delegation of Signature Authority (DSA) signed by Hunter Jenkins, Managing Director of The Forestland Group, LLC received by the Department on February 27, 2020. You are responsible for compliance with the requirements and conditions contained in the permit. Please download the permit and fact sheet from the Department website at: <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>.

The Department hereby approves this NOI and BMP Plan accordance with Section 5.2 of the WPDES general permit for Dewatering Operations (No. WI-0049344-05-0). The approval of the BMP plan hereby certifies that the BMP requirements in Section 4 of the permit are met and ensures the discharge is consistent with the discharge requirements in Section 3 of the permit. The permittee shall operate consistent with the approved BMP plan. A copy of the BMP plan shall be retained by the permittee and this plan shall be made available upon department inspection or submitted to the department upon request. Permittees shall notify the department if the BMP plan is amended to determine if the amendment requires department approval.

Your discharge is eligible for coverage and hereby authorized under the WPDES general permit for Dewatering Operations (No. WI-0049344-05-0) in accordance with s. NR 205.08, Wis. Adm. Code, subject to the following conditions:

1. **Discharge Status:** If the project has been completed and/or the dewatering operations have ceased, please complete a Notice of Termination (Form 3400-221) available at <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>. Please email this form to Leila.Jenkins@Wisconsin.gov. The Department will then send a letter back to you confirming termination of coverage under this general permit. Your facility will then be removed from our list of facilities currently covered under this general permit.

2. Change of Authorized Representative: If you plan on changing the authorized representative contact for the project or want to assign a new person to be a duly authorized representative to submit specific permit documents on their behalf, please fill out a Delegation of Signature Authority (Form 3400-220) available at <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>. Please email this form to Leila.Jenkins@Wisconsin.gov.
3. Project Changes: If there have been or will be any changes in dewatering operations that result in new or different wastewater discharges to the waters of the state, please contact the Department and reapply for permit coverage. If reapplication is necessary, please complete a notice of intent (NOI) form for the applicable general permit(s) to verify that your discharge is eligible for that general permit. NOI forms are available at <http://dnr.wi.gov/topic/wastewater/GeneralPermits.html>. This document must be mailed to the Department contact in the region of the proposed discharge. This information is also available at the general permit webpage.

Additional information regarding the Department's legal authority in this matter and your rights of appeal are shown below. Please contact me if you have any questions.

Regards,



Sheri Snowbank
Wastewater Specialist
Bureau of Water Quality

cc: Eric Quigley - (via email)
Austin Griesbach - DNR NOR Wastewater Engineer (via email)
Leila Jenkins - DNR NOR Wastewater Specialist (via email)
Trevor Moen - DNR Permit Coordinator
Permit File(s)

LEGAL AUTHORITIES AND APPEAL RIGHTS

Section 283.35(1), Wis. Stats., authorizes the Department to issue a general permit applicable to a designated area of the state authorizing discharges from specified categories or classes of point sources located within that area. Upon the request of the owner or operator of a point source, the Department shall withdraw the point source from the coverage of a general permit and issue an individual Wisconsin Pollutant Discharge Elimination System (WPDES) permit for that source in accordance with s. 283.35(2), Wis. Stats. Additionally, the Department may withdraw a point source from the coverage of a general permit and issue an individual WPDES permit if that source meets any of the factors listed in s. 283.35(3), Wis. Stats. Issuance of such an individual permit will provide for a public comment period, and potentially a public informational hearing and/or an adjudicatory hearing. In lieu of general permit withdrawal, the Department may refer any violation of a general permit to the Department of Justice for enforcement under s. 283.91, Wis. Stats., pursuant to s. 283.89, Wis. Stats. In order to remain in compliance and avoid any enforcement action, please read your permit carefully.

To challenge the reasonableness of or necessity for any term or condition of an issued, reissued, or modified general permit, s. 283.63, Wis. Stats., and ch. NR 203, Wis. Adm. Code, require that you file a verified petition for review with the Secretary of the Department of Natural Resources within 60 days after notice of the permit decision was issued by the Department. For other permit-related decisions, such as the decision to confer general permit coverage to your facility, that are not reviewable pursuant to s. 283.63, Wis. Stats., it may be possible for permittees or other persons to obtain an administrative review pursuant to s. 227.42, Wis. Stats., and s. NR

2.05(5), Wis. Adm. Code, or a judicial review pursuant to s. 227.52, Wis. Stats. If you choose to pursue one of these options, you should know that Wisconsin Statutes and Administrative Code establish time periods within which requests to review Department decisions must be filed.